

REMARKS

Claims 1-34 are pending and claims 1-34 stand rejected. By virtue of this response, claim 28 has been cancelled, claims 1, 19, 23, 24, 27, 29, and 30 have been amended, and no claims have been added. Accordingly, claims 1-27 and 29-34 are currently under consideration. Claims 1, 19, 23, 24, 27, 29, and 30 have been amended to add clarity to the features recited therein and are supported, for example, in paragraphs [0021], [0043], and [0044]. Accordingly, no new matter has been added. Further, amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented.

For the Examiner's convenience, Applicants' remarks are presented in the same order in which they were raised in the Office Action.

Claim Rejections under 35 USC §102

Claims 1, 2, 4-6, 9-14, 17-20, 22-24, 27-30, and 33 stand rejected under 35 U.S.C. 102(b) as being anticipated by Wilson (U.S. Patent No. 6,213,705).

Applicants respectfully traverse the rejection and submit that Wilson fails to disclose or suggest determining the presence of a storage device based on "frequency components" of a signal from the sensor as recited by the present claims. Claim 1, for example, recites that the controller determines the presence of a storage device "based on frequency components of a signal associated with a linear scan by the sensor." (Emphasis added). Such a feature is described, for example, in paragraphs [0021], [0043], and [0044] where it describes that a signal associated with a linear scan (e.g., by a linear scanner or portion of an area scanner) includes "relatively sharp, high frequency component peaks across the face of the cartridge 414 as indicated by bracket 420," (see Fig. 5B) associated with the presence of a storage device. This is compared to the "smoothness, or relatively low frequency components in the middle section of the graph indicated by bracket 430," (see Fig. 5C), which is associated with the absence of a storage device. Thus, the presence of a storage device is determined from frequency components (e.g., relative amplitude or frequency peaks,

smoothness, etc.) of a signal associated with a linear scan by the sensor. Such a feature is not disclosed or suggested by Wilson.

The Examiner states on Page 2 of the Office Action, *inter alia*:

“Wilson teaches...a processor (62) serving as a controller for determining the presence of the tape based on the magnitude threshold or a frequency components from the sensor, that is, the proximity sensor determines the presence/absence of the tape cartridge by determining the magnitude of the reflected optical signal (e.g., the tape cartridge is presence [sic] if reflected optical signal is above predetermined magnitude threshold and the tape cartridge is absence [sic] if reflected signal is below predetermined magnitude threshold.” (Emphasis added).

Applicants respectfully disagree and submit that Wilson fails to disclose or suggest determining the presence of a storage device based on “frequency components” of a signal from the sensor.¹ Wilson clearly describes (including the portions of Wilson cited by the Examiner) that proximity sensor 48 senses “weak” optical signals “having a magnitude below a given magnitude threshold” for an empty slot and proximity sensor 48 detects “strong” optical signals “having a magnitude above the given magnitude threshold” if a cartridge is present. (Wilson: col. 5, lines 33-48). Thus, the determination is based on whether the optical signals reflected by the tape cartridge or empty slot are above or below a given threshold intensity. (see also, Wilson: col. 6, lines 31-52). This does not disclose or suggest, however, determining the presence/absence of a storage device based on “frequency components” (e.g., relative smoothness/peaks/etc.) of a signal as recited by claim 1.

Thus, determining the absence or presence of a storage device based on the “frequency components of a signal” associated with a linear scan by the sensor as recited by claim 1 is not equivalent to detecting and comparing a “magnitude” of signal intensity to a threshold value as disclosed by Wilson. Accordingly, Wilson does not disclose or suggest each and every feature of claim 1 and the rejection should be withdrawn.

¹ Applicants note they were unable to locate the word “frequency” in the Wilson patent.

Further, with regard to the other independent claims, claim 11 (which has not been amended) recites determining the presence of a storage device “based on frequency components of an output from the linear scanner.” Claim 19 recites determining if a storage device is within a storage slot “based on frequency components from an output signal of the sensor associated with a linear scan by the sensor.” Claim 27 recites determining if a storage device is located within a storage slot “based on frequency components of analog data associated with a linear scan by the sensor.” As discussed with respect to claim 1, Wilson clearly fails to disclose or reasonably suggest determining the presence/absence of a storage device based on “frequency components” of a signal from the sensor.

Therefore, Wilson does not disclose or reasonable suggest the features of claims 1, 11, 19, and 27 (or claims that depend there from).

Claim Rejections under 35 USC §103

A. Claims 3, 21, and 34 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson in view of Lignoul (US 6,374,145).

Claims 3, 21, and 34 depend from independent claims 1, 19, and 27 and are allowable over Wilson for at least similar reasons as claims 1, 19, and 27. The addition of Lignoul does not cure the deficiencies of Wilson nor is Lignoul alleged to in the Office Action. Accordingly, Applicants request that the rejection be withdrawn.

B. Claims 7, 8, 15, 16, 25, 26, 31, and 32 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Wilson.

Claims 7, 8, 15, 16, 25, 26, 31, and 32 depend from independent claims 1, 19, and 27 and are allowable over Wilson for at least similar reasons as claims 1, 19, and 27. Accordingly, Applicants request that the rejection be withdrawn.

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 249212021400. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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